

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1051
96TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, April 26, 2012, with recommendation that the Senate Committee Substitute do pass.

4592S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 513.653, RSMo, and to enact in lieu thereof two new sections relating to audits, with existing penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 513.653, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 29.375 and 513.653, to read as follows:

29.375. 1. The state auditor shall, on a one-time basis, perform a comparative audit of at least five, but no more than ten, of the largest state agencies, as determined by total appropriation for fiscal year 2012, and perform a comparative audit of each chamber of the general assembly.

2. The state auditor shall develop criteria for fiscal responsibility that are applicable to all agencies regardless of their statutory, legal, or programmatic mandates. While creating criteria for the audit, the auditor shall conform with the provisions of applicable law and the standards for auditing of governmental organizations, programs, activities, and functions established by the comptroller general of the United States.

3. Upon completion of the audit, which shall occur no later than August 28, 2014, the auditor shall submit a report of the findings and recommendations to the general assembly, all statewide elected officials, the office of administration, and all state departments. The report issued shall contain recommendations including, but not limited

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 **to, the optimal fiscal practices to be promoted across all state agencies**
19 **and efficiency or cost saving measures, including recommended**
20 **changes to agency policy or state law, that could reduce the amount of**
21 **government spending.**

513.653. 1. Law enforcement agencies involved in using the federal
2 forfeiture system under federal law shall [be required at the end of their
3 respective fiscal year to acquire an independent audit of the federal seizures and
4 the proceeds received therefrom and provide this audit to their respective
5 governing body and to the department of public safety. A copy of such audit shall
6 be provided to the state auditor's office. This audit shall be paid for out of the
7 proceeds of such federal forfeitures] **file a report regarding federal seizures**
8 **and the proceeds therefrom. Such report shall be filed annually by**
9 **January thirty-first for the previous calendar year with the department**
10 **of public safety and the state auditor's office. The report for the**
11 **calendar year shall include the type and value of items seized and**
12 **turned over to the federal forfeiture system, the beginning balance as**
13 **of January first of federal forfeiture funds or assets previously received**
14 **and not expended or used, the proceeds received from the federal**
15 **government (the equitable sharing amount), the expenditures resulting**
16 **from the proceeds received, and the ending balance as of December**
17 **thirty-first of federal forfeiture funds or assets on hand.** The department
18 of public safety shall not issue funds to any law enforcement agency that fails to
19 comply with the provisions of this section.

20 2. Intentional or knowing failure to comply with the [audit] **reporting**
21 requirement contained in this section shall be a class A misdemeanor, punishable
22 by a fine of up to one thousand dollars.

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